

# United States District Court

SOUTHERN

DISTRICT OF NEW YORK

DIVATEX HOME FASHIONS, INC.,

PLAINTIFF,

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

M/V 'MAERSK DARMSTADT', her engines,  
boilers, etc. and  
A.P. MOLLER-MAERSK A/S d/b/a  
MAERSK LINE,

**08 CV 3483**

DEFENDANT.

TO: (Name and address of defendant)

**Judge Berman**

A.P. MOLLER-MAERSK A/S d/b/a MAERSK LINE  
2 GIRALDA FARMS  
MADISON AVENUE  
MADISON, NJ 07940

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

McDERMOTT & RADZIK, LLP  
WALL STREET PLAZA  
88 PINE STREET  
NEW YORK, NEW YORK 10005

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

**APR 10 2008**

CLERK

DATE

(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons in a Civil Action -SDNY WEB 4/99

## RETURN OF SERVICE

Service of the Summons and Complaint was made by me<sup>1</sup>

DATE

NAME OF SERVER (PRINT)

April 18th, 2008

DANIEL KNIGHT

TITLE

PROCESS SERVER

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: /A.P. MOLLER-MAERSK A/S d/b/a MAERSK LINE  
Avenue, Madison, NJ 07940 at 3:48 P.M.

☒ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
 Name of person with whom the summons and complaint were left: Andy Tsukamoto, Senior  
Director & Counsel

☐ Returned unexecuted: \_\_\_\_\_

☒ Other (specify): Description of Andy Tsukamoto: male, yellow, black hair,  
5'7", 170 lbs., 46 years of age

## STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on April 21st, 2008

Date

Signature of Server

DANIEL KNIGHT

233 Broadway

New York, NY 10279

Address of Server